- with a view to establishing a budget for the cost of conducting the full course --(a) and various alternative courses -- of the litigation; and
- to consider the resolution of the litigation through the use of alternative dispute (b) resolution programs such as those outlined in Local Rule 16.4.

Robert J. O'Regan (BBO #039970) Paul R. Mastrocola (BBO #630664) Diane A.D. Nöel (BBO #656430) **BURNS & LEVINSON LLP** 125 Summer Street

Boston, MA 02110 (617) 345-3000

Counsel for Plaintiff

February 7,2005

un How Plaintiff

CERTIFICATE OF SERVICE

hereby certify that a true copy of the above document was served upon the attorney of record for each other party

J:\Docs\26576\00000\00906977.DOC